

AN ORDINANCE 101904

**AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OF THE CITY CODE OF SAN ANTONIO, TEXAS BY CHANGING THE ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.**

\* \* \* \* \*

**WHEREAS**, a public hearing was held regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

**WHEREAS**, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of Lot H and Lot I, NCB 12104 from "R-6" Residential Single-Family District to PUD "MF-25" Planned Unit Development Multi-Family District not to exceed 26 units.

**SECTION 2.** All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

**SECTION 3.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

**SECTION 4.** This ordinance shall become effective on December 25, 2005.

**PASSED AND APPROVED** this 15<sup>th</sup> day of December, 2005.

ATTEST: *Leticia M. Vaca*  
City Clerk

*[Signature]*  
M A Y O R

APPROVED AS TO FORM: *[Signature]*  
City Attorney

# Agenda Voting Results

**Name:** Z-19.

**Date:** 12/15/05

**Time:** 05:07:14 PM

**Vote Type:** Multiple selection

**Description:** ZONING CASE #Z2005236 (District 10): An Ordinance changing the zoning boundary from "R-6" Residential Single-Family District to PUD "MF-25" Planned Unit Development Multi-Family District not to exceed 26 units on Lot H and Lot I, NCB 12104, 2900 and 2876 Nacogdoches Road as requested by Lancaster Development Company, Applicant, for Tom E. Turner Family Foundation, Owner(s). Staff and Zoning Commission have recommended approval.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		X		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		

# CASE NO: Z2005236

## Staff and Zoning Commission Recommendation - City Council

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**Date:** December 15, 2005

**Zoning Commission Meeting Date:** October 18, 2005

**Council District:** 10

**Ferguson Map:** 551 E6

**Applicant:**

Lancaster Development Company

**Owner:**

Tom E. Turner Family Foundation

**Zoning Request:** From "R-6" Residential Single-Family District to PUD "MF-25" Planned Unit Development Multi-Family District not to exceed 26 units

Lot H and Lot I, NCB 12104

**Property Location:** 2900 Nacogdoches Road

Southeast side of Nacogdoches Road at Lovelace Drive

**Proposal:** To develop a single-family and townhouse subdivision

**Neighborhood Association:** Forest Oak Neighborhood Association

**Neighborhood Plan:** None

**TIA Statement:** A Traffic Impact Analysis is not required

**Staff Recommendation:**

**Approval.**

The subject property is located on Nacogdoches Road a major thoroughfare. Two single-family dwellings currently exist on the subject property. The PUD "MF-25" is appropriate for this location. The property to the southeast and southwest is currently zoned "R-6" Residential Single-Family District and consists of single-family dwellings. The zoning to the northwest is zoned "R-6" Residential Single-Family District and consists of a church.

The subject property is approximately 6.009 acres. PUD "MF-25" would limit the density to 4.4 units per acre. The density permitted in PUD "MF-25" is less than the current zoning, which would permit 7 units per acre.

The PUD planned unit development district is established to provide flexibility in the planning and construction of development projects by allowing a combination of uses developed in accordance with an approved plan that protects adjacent properties. The PUD plan shall incorporate any conditions imposed with the granting of the PUD zoning.

**Zoning Commission Recommendation:**

Approval

**VOTE**

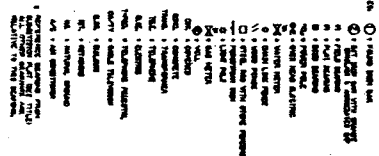
**FOR** 10

**AGAINST** 0

**ABSTAIN** 0

**RECUSAL** 0

**CASE MANAGER :** Pedro Vega 207-7980



**MAGINA • BOSE • COPELAND & ASSOC., INC.**  
CONSULTING ENGINEERS AND LAND SURVEYORS

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**Z2005236**

**ZONING CASE NO. Z2005236 -- October 18, 2005**

**Applicant: Mike Lancaster**

**Zoning Request: "R-6" Residential Single Family District to PUD "MF-25" Planned Unit Development Multi Family District not to exceed 26 units.**

Mike Lancaster, 8603 Crownhill, representing the owner, stated they are requesting this change in zoning to allow development of a single family and townhome subdivision. He stated the purpose of requesting the PUD designation is to provide flexibility in the planning and construction of the development by allowing a combination of uses developed in accordance with an approved plan that protects adjacent properties. He stated they are proposing to develop 8 single-family homes, 4 duplexes and 8 townhomes.

### **OPPOSE**

James Maverick, 2860 Nacogdoches, stated he is in support of this project however his only concern is the setback issue sitting 5 to 10 feet off his driveway.

### **REBUTTAL**

Mike Lancaster, 8603 Crownhill, representing the owner, stated they would provide a privacy fence that he feels would address with Mr. Maverick concern.

Staff stated there were 51 notices mailed out to the surrounding property owners, 3 returned in opposition and 4 returned in favor and no response from Forest Oak Neighborhood Association.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

### **COMMISSION ACTION**

The motion was made by Commissioner Robbins and seconded by Commissioner Marshall to recommend approval.

1. Property is located on Lot H and Lot I, NCB 12104 at 2900 Nacogdoches Road.
2. There were 51 notices mailed, 3 returned in opposition and 4 in favor.
3. Staff recommends approval.

**AYES: Martinez, Robbins, Rodriguez, Kissling, Marshall, Sherrill, McAden, Avila, Stribling, Gray**

**NAYS: None**

### **THE MOTION CARRIED**

### **RESULTS OF NOTICE FOR COUNCIL HEARING**

To be provided at Council hearing.

